

FUNDAMENTALS OF TRIAL ADVOCACY COURSE

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Phoenix, Arizona



DUI SENTENCING TIPS AND REMINDERS

Presented by:

BETH BARNES

Traffic Safety Resource Person
Assistant Phoenix City Prosecutor
Phoenix, Arizona

Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL
1951 West Camelback Road, Suite 202
Phoenix, Arizona 85015

ELIZABETH ORTIZ
EXECUTIVE DIRECTOR

Penalties for DUI violations:

NOTE: The sentence for All DUIs will include TSS

Violation	BAC	Classification	Minimum jail sentence ¹	Fine of at least:	Additional assessments ²	Driving privileges	Alcohol or other drug screening, education or treatment	Other penalties
DUI 1 st violation	0.08 thru 0.149	class 1 misdemeanor	10 consecutive days	\$250	\$500 to PCOF \$500 to GF	IID for 1 yr	if completed, the court may suspend all but 24 hours of the jail sentence	possible community restitution
DUI 2 nd violation within 7 yrs	0.08 thru 0.149	class 1 misdemeanor	90 days, with at least 30 consecutive	\$500	\$1250 to PCOF \$1250 to GF	revoked for 1 yr, with IID for 1 yr after driving privileges are restored	if completed, the court may suspend all but 30 days of the jail sentence	at least 30 hours community restitution
Extreme DUI 1 st violation	0.15 thru 0.199	class 1 misdemeanor	30 consecutive days	\$250	\$250 to DUIAF \$1000 to PCOF \$1000 to GF	IID for 1 yr	N/A	possible community restitution
Extreme DUI 1 st violation	0.20 or greater	class 1 misdemeanor	45 consecutive days, no probation or suspension of sentence	\$500	\$250 to DUIAF \$1000 to PCOF \$1000 to GF	IID for 18 months	N/A	possible community restitution
Extreme DUI 2 nd violation within 7 yrs	0.15 thru 0.199	class 1 misdemeanor	120 days, with at least 60 consecutive	\$500	\$250 to DUIAF \$1250 to PCOF \$1250 to GF	revoked for 1 yr, with IID for 1 yr after driving privileges are restored	N/A	at least 30 hours community restitution
Extreme DUI 2 nd violation within 7 yrs	0.20 or greater	class 1 misdemeanor	180 days, with at least 90 consecutive. No probation or suspension of sentence	\$1000	\$250 to DUIAF \$1250 to PCOF \$1250 to GF	revoked for 1 yr, with IID for 2 yrs after driving privileges are restored	N/A	at least 30 hours community restitution
Aggravated DUI 3 rd or subsequent violation within 7 yrs	0.08 or greater	class 4 felony	4 months in prison for 3 rd violation, 8 months in prison for subsequent	\$750	\$250 to DUIAF \$1500 to PCOF \$1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored	required ³	possible forfeiture of vehicle
Aggravated DUI any DUI with an invalid driver license	0.08 or greater	class 4 felony	4 months	\$750	\$250 to DUIAF \$1500 to PCOF \$1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored	required ³	possible forfeiture of vehicle
Aggravated DUI any DUI with a person under 15 yrs old in the vehicle	0.08 or greater	class 6 felony	10 or 30 consecutive days, depending on BAC	\$750	\$250 to DUIAF \$1500 to PCOF \$1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored ⁴	required ³	possible forfeiture of vehicle